

Ms. HARMAN. Madam Speaker, on rollcall No. 425, I was attending a classified briefing. Had I been present, I would have voted "nay."

**DISABLED MILITARY RETIREE
RELIEF ACT OF 2009**

The SPEAKER pro tempore (Mrs. TAUSCHER). The gentleman from Missouri has 16 minutes remaining; the gentleman from South Carolina has 16¼ minutes remaining.

Mr. SKELTON. Madam Speaker, I yield myself such time as I may consume.

This is a very, very important bill, particularly important to disabled American veterans. I notice we have had two adjournment motions already. I hope we can take this bill up because those young and young women deserve it.

Special thanks to the Speaker, Leader HOYER, Chairman TOWNS, Chairman SPRATT, Chairman RAHALL, Chairman GORDON, Chairman WAXMAN, Chairman MARKEY, Mr. LYNCH, SUSAN DAVIS, and Mr. EDWARDS for all the help that they have given us on this very complicated, very important matter for our disabled veterans.

At this time, Madam Speaker, I yield 2 minutes to my friend and colleague, the distinguished chairman of the Committee on Oversight and Government Reform, the gentleman from New York (Mr. TOWNS).

Mr. TOWNS. I thank the gentleman from Missouri for yielding.

Madam Speaker, as Chair of the Oversight and Government Reform Committee, I rise in support of H.R. 2990. I am pleased the legislation we are considering today will assist the men and women of our Armed Forces by permitting disabled military retirees to receive both their disability compensation and their retired pay concurrently.

Let me pause and thank Chairman SKELTON for working closely with the Oversight Committee on title II of this legislation. Title II makes several positive changes to the retirement system for Federal employees. These changes will enhance the system's efficiency and effectiveness as a recruiting and management tool when we need to be attracting the best and the brightest to the Federal workforce.

Most of title II's provisions were included in H.R. 1804, a bill I sponsored that passed the House by a unanimous voice vote on April 1. After passing the House, the retirement provisions were added to the landmark tobacco legislation that President Obama signed into law this week. Unfortunately, they were removed for procedural reasons in the Senate version of the tobacco bill that President Obama signed.

I am delighted we have the opportunity to consider these measures again today. Title II includes provisions to eliminate inconsistency in the way part-time service, breaks in service, and unused sick leave are considered in calculating retirement benefits.

These provisions will help employees and managers plan for a wave of upcoming retirements and encourage highly talented individuals to return to government service.

I thank the staff of both committees. I thank Chairman SKELTON for his support. And I urge all of my colleagues to vote for this very important legislation. And I hope that the other side stops calling for adjournments because this bill is very, very important and we need to move it forward.

Mr. WILSON of South Carolina. Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. HALL).

□ 1145

Mr. HALL of Texas. Madam Speaker, I stand here to speak on this bill. I have some misgivings about it. But I intend to vote for this bill. I can't vote against this bill because it benefits people that have served this country and that have suffered for this country. And I have never, in the 28 years I have been here, voted for a bill that affected adversely any veteran or any person that stood up for this country, and I admire and respect Mr. SKELTON, the author of this bill. I disagree with the way he has funded it and want to point that out.

I would also point out that I have a letter addressed to Mr. SKELTON. He has not had the time to receive it because this bill was introduced yesterday, and it is on the floor today. That is a little hasty. But this is an important bill, and it is a bill that needs to be passed. But I'm torn today as I rise to speak on H.R. 2990. On the one hand, I support the revisions in the bill, retired pay benefits for Reserve members and compensation and benefits for servicemembers. But where I'm torn is how the chairman, my good friend, Mr. SKELTON, chose to pay for the compensation and benefits provided under the bill.

I will first point out that this is a bill for the veterans, and this is a bill for those that probably without this bill would not have the assistance that they need, that they deserve and that they are entitled to.

I would also say that as a veteran of World War II, and probably one of about four or five on this floor still here, five or six over in the Senate, there are not very many of us left, but I take no backseat to anybody in supporting veterans. I have a veterans' hospital that my predecessor, Sam Rayburn, provided and benefited. And I have had the pleasure of walking in a mass of walkathons to preserve that hospital, from Bonham, Texas, where Mr. Rayburn lived, to Dallas, to protest cuts in it, as anybody here would. Anybody on this floor has to support the purpose of this bill, which is for those that are suffering.

The major desire of those that have served in any war is that no other generation would have to fight such a war and that we remove the causes of war.

And probably the greatest duty of a Member of Congress is to prevent a war. And how do you prevent a war? You prevent a war by removing the causes of it. And energy itself, or the lack of it, has been the cause of most wars that I know anything about. Japan didn't hate this country. Japan loved this country. But our country had cut off their access to oil. They had 13 months' national existence. We had to know that Japan would break out somewhere. That was a war over energy, not the hatred of the United States of America. Twelve or fourteen years ago, George Bush, Senior, sent 450,000 of our troops over to Kuwait. That was not a battle for the emir of Kuwait. We don't care anything at all about the emir of Kuwait. That was to keep a bad guy, Saddam Hussein, from getting his foot on half the known mineral reserves and energy of that area over there. That was a war for energy.

So I have a bill that I passed. I passed it as a Democrat once, it failed, it didn't get through. I passed it as a Republican with Democratic and Republican support. It passed this body. The chairman, IKE SKELTON, voted for it at the time. And that bill is now underway. And I want to say a few words about that bill because I think you're entitled to know, and I'm very hopeful that the other body will look closely at this. And I'm going to be working toward that. I haven't had the time or the opportunity to work toward it, and neither did I have the incentive to do anything to kill this bill.

I urge everybody within the sound of my voice to vote for this bill and to commend IKE SKELTON for his leadership and his devotion to the men and women that fight for this country and care for this country.

I think unfortunately regarding this bill, he chose to redirect the funds which by law, Public Law 109-58, a law that passed the House 275-156, a law that Chairman SKELTON voted for, are reserved for the Ultra-Deepwater and Unconventional Onshore Natural Gas and Other Petroleum Research and Development Program, also known as section 999.

Now the hard, cold facts about it that brought that bill into being was that we can get energy up from the coastal waters. We can get it up to around 80 or 90, 900 feet. And this bill, without the technology, could not get it to the surface where we could benefit from it. But we knew that the energy was there. And we knew that technology was there. And the bill I introduced is not an energy bill nor a technology bill. It puts the two together. And it pays universities, and there are 26 universities in this country, and I'm going to mention some of those in a few minutes, that stepped forward, that are working within this bill and have put 3 years work into it.

I just think that we need to remember section 999. It has achieved a lot since its enactment. It passed, and it passed the bill. It was in the bill that

we passed, what, a year and a half ago, a consortium that administers the program has grown to achieve over 140 entities in 28 States, including 26 universities. Those 26 universities, I'm not going to recite all those universities, they are available and people know where they are and which they are, but I do want to point out just some of the universities: MIT—this is a list of them here—MIT; Florida International University; Louisiana State University; Massachusetts Institute of Technology; Mississippi State University. It goes on down: Rice University; Texas A&M; Texas Tech; Universities of Kansas, Oklahoma, Texas, Tulsa, Utah, Alaska-Fairbanks, Houston, Michigan, South Carolina, Southern California, West Virginia, and West Virginia State. Those are just some of the many institutions that are working within the confines of the bill that we passed.

The consortium has awarded dozens of projects. These are underway. If you divert this money from this bill to support the bill that Mr. SKELTON has, these are the things that you're knocking out, an effort to find energy for 100 years that this country needs, that would prevent us from having to pay foreign agents, Arab nations that we don't trust and don't trust us, those millions and trillions of dollars could stay here in this country. And the consortium has awarded dozens of projects, including 43 research projects currently underway, with a total project value of nearly \$60 million.

Also, Madam Speaker, the value of the projects over and above the amount of annual funding for the projects, \$37,500,000 was achieved because industry believes in the value of the program and has invested substantially in it, a testament to the work that the program has achieved to date. These projects were selected on a competitive basis from over 180 proposals totaling nearly \$415 million. This program is underway and the projects awarded by the consortium include components that benefit dozens of universities throughout the country. In fact, the research and development projects undertaken through the program have included the participation of nearly 1,500 energy researchers from coast to coast. These are not the majors. These are little people. These are for little people. These are for the American people. These are to prevent a war in the future by providing the energy of today.

Nearly 80 percent of the awards made through the section 999 program have gone to universities, nonprofit organizations, national laboratories, and State institutions.

Program awards have created high-tech and innovative domestic jobs. The National Energy Technology Laboratory has estimated that the awards would create 1,300 job years from research alone. All the while, Madam Speaker, the research projects are aiding the development of cleaner, safer, and more environmentally responsible domestic energy sources, and yes, hun-

dreds of years of energy that is there, we can bring to the top now that we couldn't before.

We get the technology. It doesn't cost the taxpayers anything. We pay for the energy we get by the technology that gives us the ability to bring it up, ability we didn't have—we couldn't get the energy. With that technology, we can get that energy, and that is the thing that really breaks my heart to see us kill a program that is underway and is working. It is hundreds of years of energy.

I want to just point out one other thing. Section 999 does just the type of research that the Secretary of Energy, the Honorable Steven Chu, feels that the Federal Government should be supporting, as he stated in a hearing earlier this year as he testified before the House Science and Technology Committee.

So this is a bill that is a wonderful bill. For the purpose of the bill, I support it. I'm going to vote for it. I urge everybody else to vote for it. But I urge you to work and look forward and find out for yourself the funds that are being utilized to take its place, already underway successfully and producing for us, not to throw it aside. There are surely other areas that we can find. And I will join Mr. SKELTON in that, as this thing goes to conference, if it goes to conference, or as it works its way through the other body.

I thank you, and I thank Chairman SKELTON.

Mr. SKELTON. Madam Speaker, I yield 3 minutes to the distinguished gentleman from South Carolina, my friend, my colleague, the gentleman who is the chairman of the Committee on the Budget, Mr. SPRATT.

Mr. SPRATT. Madam Speaker, I commend the gentleman for bringing the bill to the floor and I rise in strong support of the Disabled Military Retiree Relief Act of 2009.

This bill accomplishes several important things. It enhances the benefits of Federal civil service retirees. It extends the bonuses available to our military recruiters to ensure that they have the tools needed for recruitment and retention. But most importantly, this bill restores the benefits earned by a group of veterans who are particularly deserving. The group I speak of is comprised of veterans who were medically retired with a disability and less than 20 years of service. These disabled veterans tend to be younger, and as a result, they tend to be less well off financially.

Reducing their earned benefits by offsetting the receipt of one benefit against the other, retirement pay against VA disability benefits, does not strike them as fair. And we can understand why.

We first recognized their cause in the Defense Authorization Act for Fiscal Year 2008, when the Congress, Democratic Congress, fought to include them in the Combat Related Special Compensation program. Now President

Obama has asked us to take the cause one step further. He has asked us to provide concurrent receipt, phased in over a period of 5 years, for those veterans who are medically retired with a disability rating and for whom no longevity requirement applies. This bill moves to fund the first year of that proposal.

This legislation will go a long way towards showing these veterans that they have not been forgotten, their service has not been forgotten nor has their disability which they incurred in service. Specifically, this bill will repeal the offset, which has prevented medically retired veterans from concurrently receiving their retirement pay and their VA disability compensation at the same time.

Despite its high importance, please bear in mind that this is a 1-year solution. And there is a reason for that. We have a rule here called the PAYGO, pay-as-you-go rule, which basically says when you enhance or expand eligibility for an entitlement program, you have to pay for it so that it will not worsen the deficit.

In order to provide the offsets to keep from worsening the deficit as we undertook this very just adjustment of the veterans benefit program, we have had to look across the spectrum for different items. You just heard some of them read off by Mr. HALL a few minutes ago. We will have to, next year, do the same thing to continue this benefit. And to expand the benefit we will have to look for even more. So it is not easy. It is not easy by any means. But it is worthy of these veterans who have done a yeoman service for their country, who have sustained wounds that they will bear for the rest of their life, and which have disability benefits which should not be offset.

So this is a significant step forward, but it is a step that we have not yet completed. It is a step in the right direction, but we still have a way to go. And next year we will have to revisit this again in order to renew this benefit and in order to expand it for another year. Nevertheless, this is a well-worked piece of legislation for a veterans group that dearly deserves the benefits that it provides.

I urge support for the bill.

Mr. WILSON of South Carolina. Madam Speaker, I reserve the balance of my time.

Mr. SKELTON. Madam Speaker, I yield 3 minutes to my friend, my dear colleague, the chairwoman of the Armed Services Subcommittee on Military Personnel, the gentlelady from California (Mrs. DAVIS).

□ 1200

Mrs. DAVIS of California. Madam Speaker, I rise in support of H.R. 2990, the Disabled Military Retiree Relief Act of 2009.

I would like to echo the comments of Chairman SKELTON on the merits of this bill and to congratulate him for bringing this important measure to the floor.

The process of identifying and coordinating the spending offsets was a long, hard struggle which demonstrates the resolve of the chairman and the Armed Services Committee as a whole to end the disabled veterans tax.

The disabled veterans tax has been an economic burden on our military retirees for far too long. This is especially true for the severely disabled military retirees that were denied to serve for a full 20-year career, and this bill provides immediate protection for the most severely disabled with ratings of 190 percent.

Madam Speaker, this is not a perfect solution. The chairman and I and all of our colleagues on the Armed Services Committee want a full and permanent fix, but the task to find the needed offsets from entitlement accounts was a very difficult one. But no one, no one should doubt our resolve to bring full benefits to our disabled retirees.

I want to assure other groups with issues that face the same daunting challenge to find entitlement funding offsets, that we have not forgotten your causes. Today we have focused on disabled retirees, but we are fully aware that more needs to be done to (1) fix the SBP/DIC offset; (2) enhance reserve retirement benefits; (3) protect health care benefits; and (4) eliminate the disabled veteran's disability tax for those disabled retirees who are not addressed by H.R. 2990.

We will continue to search for the necessary offsets to resolve each and every one of these programs as soon as possible.

Madam Speaker, Democrats have much to be proud about in our efforts to eliminate the veterans disability tax. We are again taking a leadership role in providing the benefits that our disabled military retirees deserve. H.R. 2990 is a good bill that keeps faith with our veterans.

I urge my colleagues to support the Disabled Military Retiree Relief Act of 2009.

Mr. WILSON of South Carolina. Madam Speaker, I reserve the balance of my time.

Mr. SKELTON. Madam Speaker, this bill is a tribute to excellent Armed Services Committee staff work, and I wish to acknowledge the fact that so many, supporting both Democrats and Republicans, did yeomen's work on this: Erin Conaton, Bob Simmons, Debra Wada, Mike Higgins, John Chapla, Jeanette James, and Eryn Robinson did a masterful job in gluing a very complicated and difficult bill together, and I want to publicly thank them.

At this time, I want to yield 1 minute to my friend and colleague, the gentleman from Georgia, who is also a member of the Armed Services Committee, Mr. MARSHALL.

Mr. MARSHALL. Madam Speaker, I want to thank the chairman, the staff, and other Members for the work that has been done in order to provide this relief to the disabled veterans tax. I

would like to encourage all Members and all veterans to call the failure or the inability of those who are entitled to concurrent receipt of retirement benefits and disability benefits to call this the disabled veterans tax, a term that was coined about 6 years ago. More and more veterans are using that term. And as we use at that term and get this thing labeled the way it should be, as a disabled veterans tax, I am convinced that over the years we will find the offsets that are needed in order to completely eliminate this unfair tax on disabled veterans.

Again, Mr. Chairman, I thank you. Without your due diligence here and an awful lot of work by staff, we wouldn't be able to make the inroads that we have made this time around. An awful lot of credit goes to you.

Mr. SKELTON. I thank the gentleman from Georgia.

At this time I yield to my colleague, my friend, the gentleman from Massachusetts (Mr. LYNCH) 2 minutes, who is also the chairman of the Subcommittee on Federal Workforce, Postal Service and the District of Columbia on the Committee on Oversight and Government Reform.

Mr. LYNCH. Madam Speaker, I would like to thank Chairman TOWNS and Chairman SKELTON for their leadership on this bill, H.R. 2990, and I am pleased to be a cosponsor of this bill. There is a saying which is true, that we can never fully repay our men and women in uniform for what they have given to our Nation. We can never fully repay them for their sacrifice and their service. But I am happy to say that Chairman SKELTON is trying his best, along with Chairman TOWNS and the ranking member, to do just that.

As chairman of the Subcommittee on the Federal Workforce, Postal Service and the District of Columbia, I am delighted that key civil service retirement provisions are also approved by this Chamber included in the measure being considered today.

Federal employee and postal unions, as well as employee retiree and management groups, all support these provisions. These provisions will improve the Federal Employee Retirement System by providing workers with retirement credit for unused sick leave. Additionally, the civil service retirement annuity calculations problem for those employees who wish to phase down to part-time work at the end of their Federal careers will also be rectified. The Office of Personnel Management has long supported this fix as a way to retain the skilled and knowledgeable employees who are nearing the end of their careers at a time of a more mature Federal workforce. The government, as an employer, must take the lead in addressing these workplace realities.

This bill will also provide retirement credit for hundreds of D.C. Government employees who now serve as Federal employees. I would like to make it clear that these retirement provisions

are paid for by treating Federal workers in Hawaii, Alaska, Puerto Rico, Guam, the U.S. Virgin Islands and the Northern Mariana Islands the same as all other Federal employees, and I look forward to working with the respective delegates of those areas on this issue.

Mr. WILSON of South Carolina. Madam Speaker, I reserve the balance of my time.

Mr. SKELTON. Madam Speaker, at this time I yield 1 minute to my friend, my colleague, the gentleman from Georgia (Mr. SCOTT) who is the vice chairman of the Foreign Affairs Subcommittee on Terrorism and Nonproliferation and International Trade.

Mr. SCOTT of Georgia. I thank Chairman SKELTON for giving me this opportunity to speak on behalf of this very important and timely bill. I also want to commend President Obama and Speaker PELOSI for the leadership they have provided.

This is my 8th year in Congress, and for each of these 8 years I have worked hard on this bill of concurrent receipts. I can't think of a more important bill that we could offer at this time as we approach the Fourth of July when this Nation celebrates its independence and freedom. At the forefront of that, the reason we are able to celebrate this independence and freedom is because of the soldiers and our veterans. And we have long felt that it is not fair nor right if our soldiers are injured and disabled, and if they have to leave service, why should they have to choose between a retirement pay and disability.

What we are saying with this measure is the right thing to do, is to make sure our soldiers have both. I urge a unanimous vote for this. Every Member of this Chamber should vote "yes" on this important bill.

Mr. WILSON of South Carolina. Madam Speaker, in conclusion, again I would like to commend the chairman for H.R. 2990. This is a step forward, but I am confident that all of us, that we can work together for more.

I yield back the balance of my time.

Mr. SKELTON. Madam Speaker, I have no more requests for time on our side and I wish to thank the gentleman from South Carolina (Mr. WILSON) for his excellent cooperation and hard work to make this bill a reality. We are most appreciative. Again, I thank all of those who worked on this very complicated piece of legislation, and other kudos to the Armed Services staff on both sides of the aisle. It is very important. It is very important for our veterans, particularly those disabled veterans who have had less than 20 years of service. It treats them as they should be treated.

Mr. FALCOMA. Madam Speaker, I rise today in support of H.R. 2990 to provide special pays and allowances to certain members of the Armed Forces, expand concurrent receipt of military retirement and VA disability benefits to disabled military retirees, and for other purposes. I want to thank my good friend from Missouri, the Chairman of the Armed Services Committee Mr. SKELTON, and

all the cosponsors of this important legislation. I want to thank you especially for including in this bill, provisions to extend locality pay to federal employees in Alaska, Hawaii, and the Territories.

Mr. Speaker, federal employees in American Samoa are not getting fair treatment. To date, American Samoa is the only non-foreign area in which federal employees do not receive a cost-of-living allowance. Notwithstanding that by law, federal employees in the U.S. Territory of American Samoa are eligible to receive COLA payments, under OPM regulations American Samoa is not listed as a COLA-designated area. Given that American Samoa faces many of the same issues driving higher prices for goods, services, and travel that face other territories in similar situations, it seems discriminatory that the Office of Personnel Management (OPM) has chosen not to provide COLA to federal employees in American Samoa.

Further exacerbating the problem is the fact that "post differential" compensation is paid to federal employees who are working in American Samoa who have come in from other areas of the country. And so the only non-foreign area federal employees who do not receive any additional compensation are those federal employees from American Samoa, working in American Samoa.

All current and future employees in the non-foreign areas who are eligible to receive a COLA, whether or not they actually do receive it, are covered by this legislation and would therefore receive locality pay under this bill. Under this measure, federal employees in American Samoa will receive 12.9 percent locality pay received by the rest of the US.

Locality pay will be extended to GS employees, administrative law judges, members of the Senior Executive Service, senior level and senior technical (SL/ST) employees, administratively determined employees, GS employees that do not receive COLA, and employees in agencies with unique personnel systems such as the Transportation Security Administration, DoD, the Federal Aviation Administration, the Department of Veterans Affairs, and those agencies covered by the Financial Institution, Reform, Recovery and Enforcement Act.

This is a very important legislation for all federal employees and especially my constituents in the U.S. Territory of American Samoa, and I urge my colleagues to pass H.R. 2990.

Mr. ABERCROMBIE. Madam Speaker, I rise today in support of H.R. 2990, the Disabled Military Retiree Relief Act of 2009. This important legislation will finally address the issue of concurrent receipt, as well as other significant issues that plague public employees. One key issue affecting federal employees in Hawaii is the long-awaited transition from a Cost of Living Allowance (COLA) to locality pay, as is currently used on the mainland United States.

Equitable retirement pay for federal employees outside the contiguous 48 states is a concern shared by the approximately 50,000 civil servants living in Alaska, Hawaii and the U.S. territories. The current cost of living adjustment (COLA) provided to federal employees outside the continental United States has created a retirement inequity between them and their mainland counterparts. If federal service in non-contiguous areas is seen as a detriment to future financial security, our government will have an increasingly difficult time at-

tracting and retaining the very best personnel. Further, federal workers should not have to resort to completing their final years of service on the mainland just to earn adequate retirement pay.

I think this bill is an important step in addressing the inequality between those serving in the continental United States and those in more remote locations, such as Alaska, Hawaii and the territories. Federal employees throughout the nation are making an equal contribution to the health, well-being and security of our nation. Regardless of where they live, they deserve equal treatment and should not be penalized in their retirement for choosing to contribute to the local communities outside the 48 contiguous states.

I believe that all federal employees will be better off under this bill than under the COLA system because their entire pay will now be counted toward their retirement benefits. Moreover, with COLA rates scheduled to decrease for many locations this year, and territories such as American Samoa receiving none, now is the time to act.

Please join me in supporting H.R. 2990 and ensuring retirement equity for all federal employees regardless of their location.

Mr. RAHALL. Madam Speaker, whenever an opportunity arises for the Congress to step forward and act to ensure that our veterans receive the full benefits they have earned, this Member is at the front of the line.

So when I was made aware of the need for monies to offset the cost of H.R. 2990, the Disabled Military Relief Act, I was proud to find the funds within the jurisdiction of the Natural Resources Committee which I chair.

Most Americans, I believe, see it as deeply unfair and certainly counter to American values that disabled veterans would be penalized with cuts in benefits when they also receive retirement pay. That policy does not reflect the thanks of a grateful nation. That is a practice that must be stopped.

Toward that end, I have been glad to support the use of \$50 million in receipts from the Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Resources Program to help in the short-term provide our veterans with full access to the benefits they so rightly deserve. While this legislation represents a temporary one-year fix, I look forward to the opportunity to support a permanent solution.

There are those who may decry the use of those funds to pay for veterans benefits and who will complain that this offset is too costly to the oil and gas industry.

In response I point out an Associated Press article from earlier this month, which reported that the oil and gas industry has accelerated its spending on lobbying during this year faster than any other industry. In fact, Big Oil spent \$44.5 million lobbying Congress and federal agencies in just the first three months of this year.

Madam Speaker, if those lucrative, multinational firms would simply call off their highly paid, smartly dressed lobbyists for three-and-a-half-month, this offset would be entirely covered. In essence, this amounts to a choice between three-and-a-half months of pay of deep-pocketed lobbyists and the debt we owe our veterans.

Madam Speaker, I stand with America's veterans.

Mr. PIERLUISI. Madam Speaker, I rise to express my concern with Subtitle B of Title II

of H.R. 2990, entitled "Non-Foreign Area Retirement Equity Assurance." This Subtitle would transition federal employees in certain non-foreign areas, including Puerto Rico, from non-foreign cost-of-living allowances ("COLAs") to locality pay. The legislation is no doubt the result of a well-meaning effort to create uniformity in how various areas of the contiguous and non-foreign areas of the United States are treated. However, because the legislation would significantly change the system governing pay and benefits for affected federal employees, a full vetting of this issue—including the holding of a hearing—is necessary before the House can prudently consider the legislation.

More than 41,000 white-collar federal civilian employees are stationed in the following "non-foreign" areas outside the contiguous United States: Alaska, Hawaii, Guam, the Commonwealth of Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands. These employees receive non-foreign COLAs, in addition to their regular pay, to compensate them for the higher living costs they face in the non-foreign areas.

Replacing non-foreign COLAs with locality pay would represent a significant change to the manner in which pay, retirement, and other benefits are calculated. First, non-foreign COLAs and locality pay are calculated according to two different measurements. Non-foreign COLAs are based on cost-of-living differences between the affected areas and Washington, DC. By contrast, locality pay is based on cost-of-labor differences between federal and nonfederal workers in the same geographic area. Second, a non-foreign COLA is not added to an employee's basic rate of pay when calculating retirement and other benefits. Locality pay, by contrast, is counted toward those benefits. Third, COLA payments may not be taxed at the federal level; locality pay is federally taxed.

Because these differences between non-foreign COLAs and locality pay would have a substantial impact on the manner in which a federal employee's pay and other benefits are calculated, it is imperative that Congress carefully examine this legislation. In particular, concerns have been raised that the legislation may not sufficiently address the varying labor markets in the territories, which could result in decreased locality pay levels or reduced locality pay rates being applied in the territories. At this time, I am not in a position to fully assess the merits of these claims. However, this is precisely why a hearing by the committee of jurisdiction is necessary. The House Committee on Oversight and Government Reform and its Federal Workforce Subcommittee are well-positioned to address the concerns that have been expressed. However, by considering this legislation under suspension of the rules and outside the House's normal procedures, the House has taken away this important opportunity.

Too much is at stake for the Congress to act in such a hasty manner. I urge my colleagues to reconsider the House's approach to this legislation.

Mr. SKELTON. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. SKELTON) that the House suspend the rules and pass the bill, H.R. 2990.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. WILSON of South Carolina. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to the following resolution:

S. RES. 202

In the Senate of the United States, June 24, 2009.

Resolved, That a summons shall be issued which commands Samuel B. Kent to file with the Secretary of the Senate an answer to the articles of impeachment no later than July 2, 2009, and thereafter to abide by, obey, and perform such orders, directions, and judgments as the Senate shall make in the premises, according to the Constitution and laws of the United States.

SEC. 2. The Sergeant at Arms is authorized to utilize the services of the Deputy Sergeant at Arms or another employee of the Senate in serving the summons.

SEC. 3. The Secretary shall notify the House of Representatives of the filing of the answer and shall provide a copy of the answer to the House.

SEC. 4. The Managers on the part of the House may file with the Secretary of the Senate a replication no later than July 7, 2009.

SEC. 5. The Secretary shall notify counsel for Samuel B. Kent of the filing of a replication, and shall provide counsel with a copy.

SEC. 6. The Secretary shall provide the answer and the replication, if any, to the Presiding Officer of the Senate on the first day the Senate is in session after the Secretary receives them, and the Presiding Officer shall cause the answer and replication, if any, to be printed in the Senate Journal and in the Congressional Record. If a timely answer has not been filed, the Presiding Officer shall cause a plea of not guilty to be entered.

SEC. 7. The articles of impeachment, the answer, and the replication, if any, together with the provisions of the Constitution on impeachment, and the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials, shall be printed under the direction of the Secretary as a Senate document.

SEC. 8. The provisions of this resolution shall govern notwithstanding any provisions to the contrary in the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials.

SEC. 9. The Secretary shall notify the House of Representatives of this resolution.

The message also announced that the Senate has agreed to the following resolution:

S. RES. 203

In the Senate of the United States, June 24, 2009.

Resolved, That pursuant to Rule XI of the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials, the Presiding Officer shall appoint a committee of twelve senators to perform the duties and to exercise the powers provided for in the rule.

SEC. 2. The majority and minority leader shall each recommend six members and a chairman and vice chairman respectively to the Presiding Officer for appointment to the committee.

SEC. 3. The committee shall be deemed to be a standing committee of the Senate for the purpose of reporting to the Senate resolutions for the criminal or civil enforcement of the committee's subpoenas or orders, and for the purpose of printing reports, hearings, and other documents for submission to the Senate under Rule XI.

SEC. 4. During proceedings conducted under Rule XI the chairman of the committee is authorized to waive the requirement under the Rules of Procedure and Practice in the Senate When Sitting on Impeachment Trials that questions by a Senator to a witness, a manager, or counsel shall be reduced to writing and put by the Presiding Officer.

SEC. 5. In addition to a certified copy of the transcript of the proceedings and testimony had and given before it, the committee is authorized to report to the Senate a statement of facts that are uncontested and a summary, with appropriate references to the record, of evidence that the parties have introduced on contested issues of fact.

SEC. 6. The actual and necessary expenses of the committee, including the employment of staff at an annual rate of pay, and the employment of consultants with prior approval of the Committee on Rules and Administration at a rate not to exceed the maximum daily rate for a standing committee of the Senate, shall be paid from the contingent fund of the Senate from the appropriation account "Miscellaneous Items" upon vouchers approved by the chairman of the committee, except that no voucher shall be required to pay the salary of any employee who is compensated at an annual rate of pay.

SEC. 7. The Committee appointed pursuant to section one of this resolution shall terminate no later than 45 days after the pronouncement of judgment by the Senate on the articles of impeachment.

SEC. 8. The Secretary shall notify the House of Representatives and counsel for Judge Samuel B. Kent of this resolution.

MOTION TO ADJOURN

Mr. WILSON of South Carolina. Madam Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. WILSON of South Carolina. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 26, nays 361, not voting 46, as follows:

[Roll No. 426]

YEAS—26

| | | |
|--------------|---------------|---------------|
| Bartlett | Gordon (TN) | Sensenbrenner |
| Boehner | Hastings (WA) | Simpson |
| Bright | Hensarling | Souder |
| Carter | Hinchee | Thompson (PA) |
| Chaffetz | Johnson (IL) | Tiahrt |
| Clay | Johnson, Sam | Whitfield |
| Coffman (CO) | King (IA) | Wilson (SC) |
| Garrett (NJ) | Kingston | Young (AK) |
| Gohmert | Pitts | |

NAYS—361

| | | |
|----------------|------------------|------------------|
| Abercrombie | Davis (KY) | Kildee |
| Ackerman | Davis (TN) | Kilpatrick (MI) |
| Aderholt | Deal (GA) | Kilroy |
| Adler (NJ) | DeFazio | Kind |
| Akin | DeGette | King (NY) |
| Alexander | Delahunt | Kirk |
| Altmire | DeLauro | Kirkpatrick (AZ) |
| Andrews | Dent | Kissell |
| Arcuri | Diaz-Balart, L. | Klein (FL) |
| Austria | Diaz-Balart, M. | Kline (MN) |
| Baca | Dicks | Kosmas |
| Bachmann | Doggett | Kratovil |
| Baird | Donnelly (IN) | Kucinich |
| Baldwin | Dreier | Lamborn |
| Barrett (SC) | Driehaus | Lance |
| Barrow | Duncan | Langevin |
| Barton (TX) | Edwards (MD) | Larsen (WA) |
| Bean | Edwards (TX) | Larson (CT) |
| Becerra | Ehlers | Latham |
| Berkley | Ellison | LaTourette |
| Berman | Ellsworth | Latta |
| Biggert | Emerson | Lee (CA) |
| Bilbray | Eshoo | Lee (NY) |
| Billirakis | Etheridge | Levin |
| Bishop (GA) | Fallin | Lewis (CA) |
| Bishop (NY) | Farr | Linder |
| Bishop (UT) | Fattah | Lipinski |
| Blackburn | Filner | LoBiondo |
| Blumenauer | Flake | Loeb sack |
| Blunt | Forbes | Lofgren, Zoe |
| Bocchieri | Fortenberry | Lowey |
| Bonner | Foster | Lucas |
| Bono Mack | Foxo | Luetkemeyer |
| Boozman | Franks (AZ) | Lujan |
| Boren | Frelinghuysen | Lummis |
| Boswell | Fudge | Lungren, Daniel |
| Boucher | Gallegly | E. |
| Boustany | Gerlach | Lynch |
| Boyd | Giffords | Mack |
| Brady (PA) | Gonzalez | Maffei |
| Brady (TX) | Goodlatte | Maloney |
| Braley (IA) | Granger | Manzullo |
| Broun (GA) | Graves | Marchant |
| Brown (SC) | Grayson | Markey (CO) |
| Brown, Corrine | Green, Al | Markey (MA) |
| Brown-Waite, | Green, Gene | Marshall |
| Ginny | Griffith | Massa |
| Buchanan | Grijalva | Matsui |
| Burgess | Guthrie | McCarthy (CA) |
| Burton (IN) | Gutierrez | McCarthy (NY) |
| Butterfield | Hall (NY) | McCaul |
| Buyer | Hall (TX) | McClintock |
| Calvert | Hare | McCormack |
| Camp | Harman | McDermott |
| Cantor | Harper | McGovern |
| Capito | Hastings (FL) | McHugh |
| Capps | Heinrich | McIntyre |
| Cardoza | Heller | McKeon |
| Carnahan | Herger | McMahon |
| Carney | Herse th Sandlin | McMorris |
| Carson (IN) | Hill | Rodgers |
| Cassidy | Himes | McNerney |
| Castle | Hinojosa | Meek (FL) |
| Castor (FL) | Hirono | Melancon |
| Chandler | Hodes | Mica |
| Childers | Hoekstra | Michaud |
| Clarke | Holden | Miller (FL) |
| Cleaver | Holt | Miller (MI) |
| Clyburn | Honda | Miller (NC) |
| Coble | Hunter | Miller, Gary |
| Cohen | Ingli s | Miller, George |
| Conaway | Inslee | Minnick |
| Connolly (VA) | Israel | Mitchell |
| Cooper | Issa | Mollohan |
| Costa | Jackson (IL) | Moore (KS) |
| Costello | Jackson-Lee | Moore (WI) |
| Courtney | (TX) | Moran (KS) |
| Crenshaw | Jenkins | Murphy (CT) |
| Crowley | Johnson (GA) | Murphy (NY) |
| Cuellar | Johnson, E. B. | Murphy, Patrick |
| Culberson | Jones | Murtha |
| Cummings | Jordan (OH) | Myrick |
| Dahlkemper | Kagen | Nadler (NY) |
| Davis (AL) | Kanjorski | Napolitano |
| Davis (CA) | Kaptur | Neal (MA) |